

IN THE CLAIMS

1. (Currently Amended) A crystalline form of azithromycin selected from the group consisting of forms H, D, E, substantially pure F, G, J, M substantially ~~in the absence of azithromycin dihydrate, N, O and, P, Q, and R.~~

2. - 54. (Canceled)

55. (Original) A crystalline form according to claim 1 wherein said form is form H.

56. (Original) A crystalline form of azithromycin according to claim 55 wherein said form is further characterized as having a ¹³C solid state NMR spectrum comprising a plurality of peaks with chemical shifts of about 179.5 ppm, 178.7 ppm, 9.9 ppm, 9.1 ppm, 7.9 ppm and 7.0 ppm.

57. (Original) A pharmaceutical composition comprising a crystalline form of azithromycin according to claim 55 and a pharmaceutically acceptable excipient

58. - 70. (Canceled)

71. (Original) A crystalline form according to claim 1 wherein said form is form N.

72. (Original) A crystalline form according to claim 71 wherein said form is characterized as containing 1-5% water and 2-5% organic solvent by weight in a powder sample.

73. (Original) A crystalline form according to claim 71 wherein said form is further characterized as having a ¹³C solid state NMR spectrum comprising a plurality of peaks with chemical shifts of about 179.6 ppm, 178.7 ppm, 58.1 ppm, 26.0 ppm, 9.9 ppm, 9.4 ppm, 7.9 ppm, and 6.6 ppm.

74. (Currently Amended) A pharmaceutical composition comprising a crystalline form of azithromycin according to ~~one of claims 71-73~~ claim 71 and a pharmaceutically acceptable excipient.

75. (Original) A crystalline form according to claim 1 wherein said form is form O.

76. (Original) A pharmaceutical composition comprising a crystalline form of azithromycin according to claim 75 and a pharmaceutically acceptable excipient.

77. (Original) A crystalline form according to claim 1 wherein said form is form P.

78. (Currently Amended) A pharmaceutical composition comprising a crystalline form of azithromycin according to claim 87 77 and a pharmaceutically acceptable excipient.

79. - 122. (Canceled)

123. (Currently Amended) A method of treating a bacterial infection or a protozoa infection in a mammal, fish, or bird which comprises administering to said mammal, fish or bird a therapeutically effective amount of crystalline azithromycin according to claim 1 ~~or an azithromycin mixture according to claim 86.~~

124. (New) A pharmaceutical composition comprising a crystalline form of azithromycin according to claim 72 and a pharmaceutically acceptable excipient.

125. (New) A pharmaceutical composition comprising a crystalline form of azithromycin according to claim 73 and a pharmaceutically acceptable excipient.